

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA )

) DOCKET NO.

v. )

) FACTUAL BASIS

EVERETT JAMAL TAITE )

NOW COMES the United States of America, by and through Dena J. King, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.


This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. On October 4, 2022, in Mecklenburg County within the Western District of North Carolina, Everett Jamal Taite ("Defendant"), knowingly and intentionally possessed a firearm, a Springfield Armory, model XD, .45 caliber semi-automatic pistol ("the firearm").
2. At the time Defendant possessed the firearm, it had previously been shipped or transported in interstate commerce.
3. The firearm was reported stolen to the Iredell County Sheriff in 2018 by the lawful owner.
4. At the time Defendant possessed the firearm, he knew or had reasonable cause to believe the firearm was stolen.

5. On October 4, 2022, Allied Universal Special Police Sgt. Barnhardt, in the course of his normal patrol duties at the Charlotte Transit Center, was checking a public restroom when he found Defendant in a stall with the door open. Sgt. Barnhardt saw what he believed to be a small bag of powder cocaine in Defendant's hand. He instructed Defendant to give it to him. Defendant refused. Defendant then grabbed a green marijuana pack labeled "Killer Glue" and put it, and the bag of cocaine, into his backpack. Sgt. Barnhardt ordered Defendant to give him the bags and his identification. Defendant handed over the bags but said he did not have identification. When backup officers arrived, Sgt. Barnhardt told Defendant to put his hands behind his back. Defendant said he was "leaving" and tried to push through the officers. Defendant resisted being handcuffed. Defendant also struck Sgt. Barnhardt in his eye and damaged Sgt. Barnhardt's watch. The firearm was removed from the front waistband of Defendant's pants.
6. The firearm was loaded with a round in the chamber and six rounds in the magazine.
7. At the time Defendant possessed the firearm, he did so in connection with another felony offense: possession of cocaine.

DENA J. KING  
UNITED STATES ATTORNEY

  
DAVID W. KELLY  
ASSISTANT UNITED STATES ATTORNEY

Authority, Signature, and Acknowledgment of the Defendant

I, Everett Jamal Taite, have read this Factual Basis and have discussed it with my attorney. The facts outlined herein accurately describe the events and circumstances surrounding my offense and I admit that there is a factual basis for each element of the offense to which I am pleading guilty. I fully understand the contents of this Factual Basis, agree not to object to any fact set forth herein unless that objection is explicitly reserved in this document, and am entering my guilty plea pursuant to this Factual Basis knowingly and voluntarily.

  
Everett Jamal Taite, Defendant

DATED: 4/10/23

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the Plea Agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the Plea Agreement. I hereby certify that the defendant does not dispute this Factual Basis.

Myra Cause  
Myra Cause, Attorney for Defendant

DATED: 4/7/23

